Applicant Initiated Interview Request Form

Application No.: 10/734,532　　　　　　First Named Applicant: REINER SAILER

Examiner: DAVID E. ENGLAND　　　Art Unit: 2443　　　Status of Application: _____

Tentative Participants:

(1) Richard S. Yapchanyk　　　　　　(2) David E. England

(3) James J. Bitetto　　　　　　　　(4) _____

Proposed Date of Interview: 5/7/09 or 5/12/09　　　**Proposed Time:** 3:00 PM　____ AM/PM

Type of Interview Requested:

(1) [✓] Telephonic　　(2) [ ] Personal　　(3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated:　[ ] YES　[ ] NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) 103(a) Rej.	claim 12	Ref. A	[ ]	[ ]	[ ]
(2) 103(a) Rej.	claim 12	Ref. C	[ ]	[ ]	[ ]
(3) _____	_____	_____	[ ]	[ ]	[ ]
(4) _____	_____	_____	[ ]	[ ]	[ ]

[✓] Continuation Sheet Attached

Brief Description of Argument to be Presented:

See attached continuation sheet.

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_____

An interview was conduction on the above-identified application on _____ .

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature　　　　Examiner/SPE Signature

JAMES J. BITETTO

Typed/Printed Name of Applicant or Representative

40,513

Registration Number, if applicable

Continuation of Brief Description of Argument to be Presented:

Ref. A

Ref. A does not teach a method for attestation. As indicated in the present specification (page 2, lines 10-17), prior art attesting systems do not perform tests on running systems. One of the advantages of the present invention is providing an <u>attesting system</u> to perform integrity measurements on executing programs (see page 3, lines 1-8). The performance monitoring system disclosed in Ref. A does not teach such an attesting system.

Ref. A also does not teach "measuring code as the code is **being loaded**." Ref. A discloses taking measurements during the execution of a transaction (see, e.g. col. 4, lines 4-18 which teach measuring the processing time of a transaction). The present invention, however, takes measurements as the code is loaded so that the system can be properly attested and verified <u>before</u> executing the transaction (see, e.g., page 9, lines 7-9).

Ref. C

The Examiner agreed in the last interview that Refs. A and B do not teach "marking the earlier measurement as changed and adding the new measurement to the list." Ref. C also fails to teach this element of claim 12. Ref. C clearly teaches that the 'Contracts' and 'Scanner Status' tables contain only **one** record for each scanner and that these values are changed/modified when the relevant information changes (see e.g., col. 7, line 59-60; col. 10, lines 63-65; and col. 12, lines 38-55). The portions of Ref. C cited by the Examiner only teach keeping a history of the changes made to the 'Contracts' and 'Scanner Status' tables <u>in a separate 'Audit' table</u>, i.e. Contract Audit Table is history for Contract Table (see col. 7, line 66 – col. 8, line 4); Scanner Status Audit Table is history for Scanner Status Table (see col. 11, lines 51-55). In contrast, the present invention stores the earlier measurements and new measurements in the same measurement list (See Fig. 4 and page 14, lines 14-19).